

REMARKS

Claims 1, 5-16 and 18-20 are currently active.

The Examiner has found Claims 1 and 5-7 allowable. The Examiner has objected to Claims 10-15 and 20 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner has rejected Claims 8, 9, 16, 18 and 19 as being unpatentable over Schneider in view of Remington. Applicants respectfully traverse this rejection.

Referring to Schneider, there is disclosed a blow molded suitcase. Schneider teaches a simple hinge line 11. There is no teaching or suggestion whatsoever of a Z-beam, let alone an opening in the base defined by the Z-beam.

Referring to Remington, there is disclosed a valence clip. The clip is taught to comprise a base 10, a first pair of flanges or members 12 extending outwardly from opposite sides of the base, each member having an inwardly turned end portion 14 for gripping the opposite sides of a luggage case shall 16 inserted between the members, and a second pair of

flanges or members 18, 20 also extending outwardly from opposite sides of the base, the ends of which engage the inner flanges 22, 24, respectively, of a valence 26. The base is formed to extend laterally to and be in abutting relationship with the edge 28 of the shell so that the clip encompasses the edge of the shell and fits within the channel 30 formed between the valence flanges. See column 2, lines 27-40.

As is very clear from the above description, as well as a review of the figures taught by Remington, there is absolutely no teaching or suggestion of any type of Z shape, let alone a Z-beam. As the figures show, and the above textual description reveals, the inwardly turned end portion 14 of the members 12 form more of a C shape or a J shape. See column 1, line 38.

Remington teaches a clip for attaching the valances to luggage cells. It does not teach suggest any type of an opening defined by a Z-beam in the base, as found in Claim 18. Accordingly, these important limitations of Claim 8 are devoid in the applied art of record.

Furthermore, as explained above, Schneider does not teach any type of opening defined by a Z-beam, and Remington does not teach any type of opening defined by the Z-beam. Instead, Remington teaches a clip that is separate and apart from the luggage that is used to be added as a separate element for attaching valances to luggage shells.

It is black letter law there must be some teaching or suggestion in the references themselves to combine the teachings the Examiner is relying upon to arrive at applicants' claimed invention. Here, there is no such teaching.

Furthermore, any teaching the Examiner relies upon in a given reference must be taken in the context in which it is found. Here, Remington teaches a separate and independent clip that is J or C shaped. Schneider simply teaches a blow molded suitcase. There is nothing to teach or suggest totally modifying the structure of Schneider to somehow or other take an external clip element and somehow or other define an opening by a Z-beam. Such teachings are just simply not present in the applied art of record.

At best, the Examiner is using hindsight to arrive at applicants' claimed invention. The Examiner is using the limitations of Claim 8 as a road map to attempt to find the different limitations and different references, and having supposedly found these limitations in the different references, concludes that applicants' claimed invention is arrived at. The use of hindsight is not patent law.

Accordingly, Claim 8 is patentable over the applied art of record.

Claim 9 is dependent to Claim 8 and is patentable for the reasons Claim 8 is patentable.

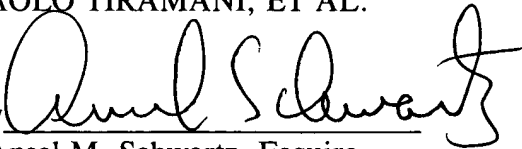
In regard to Claim 16, there is no teaching or suggestion of "said trap-door lid being hingedly connected to said base" in the applied art of record. Accordingly, Claim 16 is patentable over the applied art of record.

Claims 18 and 19 are dependent to parent Claim 16 and are patentable for the reasons Claim 16 is patentable.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1, 5-16 and 18-20, now in this application be allowed.

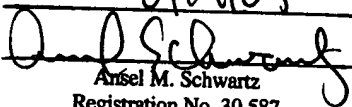
Respectfully submitted,

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